

PETER GOODMAN, ESQ.
 State Bar No. 65975
 400 Montgomery Street, Second Floor
 San Francisco, California 94104
 Telephone: (415) 781-8866
 Facsimile: (415) 781-2266

Attorney for Defendant
 SHI GUANG GUAN

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR-08-0238 MHP
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	CONTINUING MOTION HEARING AND
vs.)	<u>SENTENCING</u>
)	
PETER HE, et al.,)	
)	
Defendants.)	
)	

Plaintiff UNITED STATES OF AMERICA, by and through its counsel in this matter, Assistant United States Attorney ("AUSA") Owen P. Martikan, and defendant SHI GUANG GUAN, by and through his counsel, Peter Goodman, hereby stipulate and agree as follows:

1. On December 9, 2009, defendant GUAN was found guilty of the three charges contained in the indictment and the matter was continued for sentencing to March 15, 2010, at 9:00 a.m. United States Probation Officer ("USPO") Insa Bel'Ochi has been assigned to prepare the Presentence Report ("PSR").

2. USPO Bel'Ochi has informed the parties that she needs additional information relative to the amount of the loss attributable to defendant GUAN in order to prepare the PSR and formulate a recommendation as to an appropriate sentence in this case. The parties have agreed to provide her with the information that she has

requested but share her belief that she will need additional time in order to review that information before preparing the PSR.

3. On February 17, 2010, defendant GUAN submitted a renewed motion seeking dismissal of the indictment or alternatively for a new trial and noticed a date for a hearing on the motion of March 8, 2010. Counsel for defendant GUAN was subsequently contacted by AUSA Martikan who stated he is unavailable to appear before this Court on the noticed date for the hearing on the motion. Defendant GUAN is agreeable to continuing the hearing date.

4. The parties agree and are requesting this Court to order that the date for the hearing on defendant GUAN's motion to dismiss or for new trial be continued to March 29, 2010, at 10:00 a.m. The parties also agree and are requesting this Court to order that the sentencing date in this matter be continued to April 12, 2010, at 9:00 a.m.

SO STIPULATED

DATED: February 23, 2010

/s/
OWEN P. MARTIKAN
Assistant United States Attorney

DATED: February 23, 2010

/s/
PETER GOODMAN
Attorney for Defendant
SHI GUANG GUAN

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ORDER CONTINUING MOTION HEARING AND SENTENCING

GOOD CAUSE APPEARING from the stipulation of the parties, IT IS HEREBY ORDERED that the hearing on defendant GUAN's renewed motion seeking dismissal of the indictment or alternatively for a new trial be continued from March 8, 2010, at 10:00 a.m. to March 29, 2010, at 10:00 a.m. IT IS FURTHER ORDERED that the sentencing in this matter be continued from March 15, 2010, at 9:00 a.m. to April 12, 2010, at 9:00 a.m.

DATED: 2/24/2010

